

REMARKS/ARGUMENTS

Claims 1-36 were originally submitted.

Claims 1-9, 22, 27-34 are canceled without prejudice.

Claims 10-11, 23, and 35 have been amended to overcome the 35 USC § 112 second paragraph rejection and to include the limitations of base claim 1, placing such claims in condition for allowance.

Claims 13-21 and 36 are allowed.

Claims 10-26, 35, and 36 remain in this application.

Specification

The disclosure is objected to by the Office because the Summary of Invention and its header are missing. Emmanuel Rivera contacted Examiners Mihn Nguyen and Timothy Callahan on August 23, 2004. Examiner Callahan acknowledged that the Summary of Invention is not required, and that particular formats may include the Summary of Invention; however, if the Applicant chooses a particular format which omits the Summary of Invention section, such a format is acceptable. Examiner Nguyen agreed to remove this objection.

Claim Objections

Claims 7 and 17 have been objected to as having potential antecedent problems. Claim 7 is canceled, and claim 17 has been appropriately amended to correct the potential antecedent problem.

35 USC § 112

Claims 1-12 are rejected under 35 USC § 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which the applicant regards as the invention. In particular claim 1 has been rejected based on the recitation "in response to the received clock signal" which the Office presents as being misdescriptive. Amended claims 10, 11, and 12 do not include this recitation, therefore the § 112 rejection as to amended claims 10, 11, and 12 is not proper. Applicants request that the rejection be removed.

35 USC § 102

Claims 1-7, 9, 22, 27-30, and 33-34 are rejected under 35 USC § 102(e) as being anticipated by U.S. Patent 6,538,957 to Magoshi (Magoshi). Applicants disagree with the rejection; however, in order to advance prosecution of this case claims 1-7, 9, 22, 27-30, and 33-34 are canceled without prejudice.

35 USC § 103

Claims 8, 31-32 are rejected under 35 USC § 103(a) as being unpatentable over Magoshi. Applicants disagree with the rejection; however, in order to advance prosecution of this case claims 8, 31-32 are canceled without prejudice.

Allowable subject matter

Claims 13-21 and 36 are allowed. An informality objection was made as to claim 36; however, Examiner Nguyen in the telephone conversation of August 23rd agreed that no such informality objection exists.

Claims 10-12 would be allowable if rewritten to overcome the 35 USC § 112 rejection and to include all the limitations of base claim 1. Claims 10 and 11 have been amended accordingly. Claim 12 does not have to be amended since claim 12 as originally presented depends from claim 11 (in the present listing amended claim 11).

Claims 23-26 and 35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims.

Claim 23 has been amended accordingly. Claims 24-26 do not have to be amended, since claim 24 as originally presented depends from claim 23, claim 25 as originally presented depends from claim 24, and claim 26 as originally presented depends from claim 25.

Claim 35 has been amended accordingly.

Conclusion

It is respectfully submitted that all claims are in a condition for allowance, and action to that end is requested. The Examiner is requested to telephone the undersigned if that would be helpful in expediting allowance.

Respectfully Submitted,

Dated: 9/16/04By: 

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